



Rep. Lou Lang

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1 AMENDMENT TO SENATE BILL 116

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 116 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Finance Authority Act is amended  
5 by changing Sections 820-10, 820-20, and 820-25 and by adding  
6 Section 820-37 as follows:

7 (20 ILCS 3501/820-10)

8 Sec. 820-10. Definitions. The following words or terms,  
9 whenever used or referred to in this Article, shall have the  
10 following meanings ascribed to them, except where the context  
11 clearly requires otherwise:

12 (a) "Department" means the Illinois Department of Commerce  
13 and Economic Opportunity.

14 (b) "Unit of local government" means any unit of local  
15 government, as defined in Article VII, Section 1 of the 1970  
16 State Constitution and any local public entity as that term is

1 defined by the Local Governmental and Governmental Employees  
2 Tort Immunity Act and also includes the State and any  
3 instrumentality, office, officer, department, division,  
4 bureau, commission, college or university thereof.

5 (c) "Energy conservation project" means any improvement,  
6 repair, alteration or betterment of any building or facility or  
7 any equipment, including but not limited to an Energy  
8 Efficiency Project, as defined in item (iii) of subsection (b)  
9 of Section 825-65, in connection with any school district or  
10 community college district project, and any fixture or  
11 furnishing including its energy using mechanical devices to be  
12 added to or used in any building or facility that the Director  
13 of the Department has certified to the Authority will be a  
14 cost-effective energy-related project that will lower energy  
15 or utility costs in connection with the operation or  
16 maintenance of such building or facility, and will achieve  
17 energy cost savings sufficient to cover bond debt service and  
18 other project costs within 20 ~~10~~ years from the date of project  
19 installation.

20 (d) "Green special service area project" means any energy  
21 efficiency improvement, renewable energy improvement, or water  
22 use improvement as such terms are defined in Section 27-5 of  
23 the Special Service Area Tax Law.

24 (Source: P.A. 97-760, eff. 7-6-12.)

1           Sec. 820-20. Powers and Duties; Illinois Local Government  
2 Financing Assistance Program. The Authority has the power:

3           (a) To purchase from time to time pursuant to negotiated  
4 sale or to otherwise acquire from time to time any local  
5 government securities issued by one or more units of local  
6 government upon such terms and conditions as the Authority may  
7 prescribe;

8           (b) To issue bonds in one or more series pursuant to one or  
9 more resolutions of the Authority for any purpose authorized  
10 under this Article, including without limitation purchasing or  
11 acquiring local government securities, providing for the  
12 payment of any interest deemed necessary on such bonds, paying  
13 for the cost of issuance of such bonds, providing for the  
14 payment of the cost of any guarantees, letters of credit,  
15 insurance contracts or other similar credit support or  
16 liquidity instruments, or providing for the funding of any  
17 reserves deemed necessary in connection with such bonds and  
18 refunding or advance refunding of any such bonds and the  
19 interest and any premium thereon, pursuant to this Act;

20           (c) To provide for the funding of any reserves or other  
21 funds or accounts deemed necessary by the Authority in  
22 connection with any bonds issued by the Authority or local  
23 government securities purchased or otherwise acquired by the  
24 Authority;

25           (d) To pledge any local government security, including any  
26 payments thereon, and any other funds of the Authority or funds

1 made available to the Authority which may be applied to such  
2 purpose, as security for any bonds or any guarantees, letters  
3 of credit, insurance contracts or similar credit support or  
4 liquidity instruments securing the bonds;

5 (e) To enter into agreements or contracts with third  
6 parties, whether public or private, including without  
7 limitation the United States of America, the State, or any  
8 department or agency thereof to obtain any appropriations,  
9 grants, loans or guarantees which are deemed necessary or  
10 desirable by the Authority. Any such guarantee, agreement or  
11 contract may contain terms and provisions necessary or  
12 desirable in connection with the program, subject to the  
13 requirements established by this Article;

14 (f) To charge reasonable fees to defray the cost of  
15 obtaining letters of credit, insurance contracts or other  
16 similar documents, and to charge such other reasonable fees to  
17 defray the cost of trustees, depositories, paying agents, bond  
18 registrars, escrow agents and other administrative expenses.  
19 Any such fees shall be payable by units of local government  
20 whose local government securities are purchased or otherwise  
21 acquired by the Authority pursuant to this Article, in such  
22 amounts and at such times as the Authority shall determine, and  
23 the amount of the fees need not be uniform among the various  
24 units of local government whose local government securities are  
25 purchased or otherwise acquired by the Authority pursuant to  
26 this Article;

1           (g) To obtain and maintain guarantees, letters of credit,  
2 insurance contracts or similar credit support or liquidity  
3 instruments which are deemed necessary or desirable in  
4 connection with any bonds or other obligations of the Authority  
5 or any local government securities;

6           (h) To establish application fees and other service fees  
7 and prescribe application, notification, contract, agreement,  
8 security and insurance forms and rules and regulations it deems  
9 necessary or appropriate;

10          (i) To provide technical assistance, at the request of any  
11 unit of local government, with respect to the financing or  
12 refinancing for any public purpose. In fulfillment of this  
13 purpose, the Authority may request assistance from the  
14 Department as necessary; any unit of local government that is  
15 experiencing either a financial emergency as defined in the  
16 Local Government Financial Planning and Supervision Act or a  
17 condition of fiscal crisis evidenced by an impaired ability to  
18 obtain financing for its public purpose projects from  
19 traditional financial channels or impaired ability to fully  
20 fund its obligations to fire, police and municipal employee  
21 pension funds, or to bond payments or reserves, may request  
22 technical assistance from the Authority in the form of a  
23 diagnostic evaluation of its financial condition;

24          (j) To purchase any obligations of the Authority issued  
25 pursuant to this Article;

26          (k) To sell, transfer or otherwise dispose of local

1 government securities purchased or otherwise acquired by the  
2 Authority pursuant to this Article, including without  
3 limitation, the sale, transfer or other disposition of  
4 undivided fractionalized interests in the right to receive  
5 payments of principal and premium, if any, or the right to  
6 receive payments of interest or the right to receive payments  
7 of principal of and premium, if any, and interest on pools of  
8 such local government securities;

9 (l) To acquire, purchase, lease, sell, transfer and  
10 otherwise dispose of real and personal property, or any  
11 interest therein, and to issue its bonds and enter into leases,  
12 contracts and other agreements with units of local government  
13 in connection with such acquisitions, purchases, leases, sales  
14 and other dispositions of such real and personal property;

15 (m) To make loans to banks, savings and loans and other  
16 financial institutions for the purpose of purchasing or  
17 otherwise acquiring local government securities, and to issue  
18 its bonds, and enter into agreements and contracts in  
19 connection with such loans;

20 (n) To enter into agreements or contracts with any person  
21 necessary or appropriate to place the payment obligations of  
22 the Authority under any of its bonds in whole or in part on any  
23 interest rate basis, cash flow basis, or other basis desired by  
24 the Authority, including without limitation agreements or  
25 contracts commonly known as "interest rate swap agreements",  
26 "forward payment conversion agreements", and "futures", or

1 agreements or contracts to exchange cash flows or a series of  
2 payments, or agreements or contracts, including without  
3 limitation agreements or contracts commonly known as  
4 "options", "puts" or "calls", to hedge payment, rate spread, or  
5 similar exposure; provided, that any such agreement or contract  
6 shall not constitute an obligation for borrowed money, and  
7 shall not be taken into account under Section 845-5 of this Act  
8 or any other debt limit of the Authority or the State of  
9 Illinois;

10 (o) To make and enter into all other agreements and  
11 contracts and execute all instruments necessary or incidental  
12 to performance of its duties and the execution of its powers  
13 under this Article;

14 (p) To contract for and finance the costs of energy audits,  
15 project-specific engineering and design specifications, and  
16 any other related analyses preliminary to an energy  
17 conservation project; and, to contract for and finance the cost  
18 of project monitoring and data collection to verify  
19 post-installation energy consumption and energy-related  
20 operating costs. Any such contract shall be executed only after  
21 it has been jointly negotiated by the Authority and the  
22 Department; ~~and~~

23 (p-5) To purchase special service area bonds and to accept  
24 assignments or pledges, or both, of special service area bonds  
25 or agreements relating to green special service area projects,  
26 which authority shall be liberally construed; and

1 (q) To exercise such other powers as are necessary or  
2 incidental to the foregoing.

3 (Source: P.A. 93-205, eff. 1-1-04.)

4 (20 ILCS 3501/820-25)

5 Sec. 820-25. Unit of Local Government Participation. Any  
6 unit of local government is authorized to voluntarily  
7 participate in this program. Any unit of local government which  
8 is authorized to issue, sell and deliver its local government  
9 securities under any provision of the Constitution or laws of  
10 the State may issue, sell and deliver such local government  
11 securities to the Authority under this Article; provided that  
12 and notwithstanding any other provision of law to the contrary,  
13 any such unit of local government may issue and sell any such  
14 local government security at any interest rate or rates, which  
15 rate or rates may be established by an index or formula which  
16 may be implemented by persons appointed or retained for those  
17 purposes ~~therefor~~, payable at such time or times, and at such  
18 price or prices to which the unit of local government and the  
19 Authority may agree. Any unit of local government may pay any  
20 amount charged by the Authority pursuant to this Article. Any  
21 unit of local government participating in this program may pay  
22 out of the proceeds of its local government securities or out  
23 of any other moneys or funds available to it for such purposes  
24 any costs, fees, interest deemed necessary, premium or reserves  
25 incurred or required for financing or refinancing this program,



1 including without limitation any fees charged by the Authority  
2 pursuant to this Article and its share, as determined by the  
3 Authority, of any costs, fees, interest deemed necessary,  
4 premium or reserves incurred or required pursuant to Section  
5 820-20 of this Act. All local government securities purchased  
6 or otherwise acquired by the Authority pursuant to this Act  
7 shall upon delivery to the Authority be accompanied by an  
8 approving opinion of bond counsel as to the validity of such  
9 securities. The Authority shall have discretion to purchase or  
10 otherwise acquire those local government securities, as it  
11 shall deem to be in the best interest of its financing program  
12 for all units of local government taken as a whole. Any unit of  
13 local government with the authority, in connection with green  
14 special service area projects, to provide special service area  
15 financing under the Special Service Area Tax Law is authorized  
16 to issue special service area bonds and sell or assign those  
17 special service area bonds to the Authority or to assign or  
18 pledge special service area bonds or agreements, or both, to  
19 the Authority.

20 (Source: P.A. 93-205, eff. 1-1-04.)

21 (20 ILCS 3501/820-37 new)

22 Sec. 820-37. Unit of local government participation;  
23 bonds. The Authority may assist units of local government by  
24 establishing and implementing a program to issue their bonds  
25 secured by special service area agreements assigned or pledged

1 to the Authority by units of local government so as to provide  
2 financing for green special service area projects. The bonds of  
3 the Authority shall not constitute an indebtedness or  
4 obligation of the Authority or the State, and it shall be  
5 plainly stated on the face of each such bond that it does not  
6 constitute an indebtedness or obligation of the Authority or  
7 the State but is payable solely from the revenues, income, or  
8 other assets of the Authority that are pledged to the repayment  
9 of those bonds.

10 Section 10. The Property Tax Code is amended by changing  
11 Section 27-5 and by adding Sections 27-97, 27-100, and 27-105  
12 as follows:

13 (35 ILCS 200/27-5)

14 Sec. 27-5. Short title; definitions. This Article may be  
15 cited as the Special Service Area Tax Law.

16 When used in this Article:

17 "Energy efficiency improvement" means any installation,  
18 modification, or replacement that reduces energy consumption  
19 in any multi-family residential, commercial, or industrial  
20 building, structure, or other facility, including, but not  
21 limited to, all of the following:

22 (1) insulation in walls, roofs, floors, foundations,  
23 and heating and cooling distribution systems;

24 (2) storm windows and doors, multiglazed windows and

1 doors, heat-absorbing or heat-reflective glazed and coated  
2 window and door systems, additional glazing, reductions in  
3 glass area, and other window and door system modifications;

4 (3) automatic energy control systems;

5 (4) high efficiency furnaces, lighting fixtures,  
6 ventilating, or air conditioning and distribution systems;

7 (5) caulking and weather-stripping;

8 (6) facilities, improvements, or systems to bring  
9 natural daylight into buildings; and

10 (7) any other installation, modification, replacement,  
11 facility, improvement, rehabilitation, repair, or  
12 remodeling that is permanently affixed to the property and  
13 has the effect of reducing energy consumption.

14 For the purposes of levying a special service area tax on  
15 the real property on which the energy efficiency improvement is  
16 located in a green special service area under the Special  
17 Service Area Tax Law in the Property Tax Code, any energy  
18 efficiency improvement shall be deemed to be real property.

19 "Green special service area" means a special service area  
20 created pursuant to Section 27-97 of this Act for the purpose  
21 of providing special services that are energy efficiency  
22 improvements, renewable energy improvements, water use  
23 improvements, or a combination thereof. The corporate  
24 authorities of the municipality or county may establish (i)  
25 multiple green special service areas pursuant to a single  
26 ordinance or (ii) multiple buildings, structures, facilities,

1 improvements, or lots or parcels of land within a single green  
2 special service area, which are not required to be contiguous.  
3 Revenues from multiple green special service areas and revenues  
4 from multiple buildings, structures, facilities, improvements  
5 or lots or parcels of land within a single green special  
6 service area may be aggregated for a pledge as security for  
7 bonds issued pursuant to Section 27-45 of this Act.

8 "Green special service area project" means any energy  
9 efficiency improvement, renewable energy improvement, or water  
10 use improvement, or any combination thereof.

11 "Multi-family residential" means a building containing  
12 more than 4 units that is intended for human habitation, or any  
13 mixed residential-commercial buildings or portions thereof  
14 that are intended for human habitation.

15 "Renewable energy improvement" means any fixture, product,  
16 system, device, or interacting group thereof, for or serving  
17 any multi-family residential, commercial, or industrial  
18 building, structure, or other facility that is permanently  
19 affixed to the property and produces energy from renewable  
20 resources as defined in Section 1-10 of the Illinois Power  
21 Agency Act. For purposes of levying a special service area tax  
22 on the real property on which the renewable energy improvement  
23 is located in a green special service area under the Special  
24 Service Area Tax Law in the Property Tax Code, any renewable  
25 energy improvement shall be deemed to be real property.

26 "Special Service Area" means a contiguous area, except as

1 provided in this Act concerning green special service areas,  
2 within a municipality or county in which special governmental  
3 services are provided in addition to those services provided  
4 generally throughout the municipality or county, the cost of  
5 the special services to be paid from revenues collected from  
6 taxes levied or imposed upon property within that area.  
7 Territory shall be considered contiguous for purposes of this  
8 Article even though certain completely surrounded portions of  
9 the territory are excluded from the special service area. A  
10 county may create a special service area within a municipality  
11 or municipalities when the municipality or municipalities  
12 consent to the creation of the special service area. A  
13 municipality may create a special service area within a  
14 municipality and the unincorporated area of a county or within  
15 another municipality when the county or other municipality  
16 consents to the creation of the special service area.

17 "Special Services" means all forms of services pertaining  
18 to the government and affairs of the municipality or county,  
19 including but not limited to weather modification, energy  
20 efficiency improvements, renewable energy improvements, water  
21 use improvements, and improvements permissible under Article 9  
22 of the Illinois Municipal Code, and contracts for the supply of  
23 water as described in Section 11-124-1 of the Illinois  
24 Municipal Code which may be entered into by the municipality or  
25 by the county on behalf of a county special service area.

26 "Water use improvement" means any fixture, product,

1 system, device, or interacting group thereof, for or serving  
2 any multi-family residential, commercial, or industrial  
3 building, structure, or other facility that has the effect of  
4 conserving water resources through improved water management  
5 or efficiency. For the purposes of levying a special service  
6 area tax on the real property on which the water use  
7 improvement is located in a green special service area under  
8 the Special Service Area Tax Law in the Property Tax Code, any  
9 water use improvement shall be deemed to be real property.

10 (Source: P.A. 86-1324; 88-445.)

11 (35 ILCS 200/27-97 new)

12 Sec. 27-97. Green special service areas.

13 (a) The corporate authorities of a municipality or a county  
14 may establish a green special service area, or multiple green  
15 special service areas under a single ordinance, for the purpose  
16 of arranging for and financing energy efficiency improvements,  
17 renewable energy improvements, or water use improvements, the  
18 financing of which shall constitute a public purpose. Each  
19 green special service area shall include only property for  
20 which each owner of record has executed a contract or agreement  
21 consenting to the inclusion of the property within the green  
22 special service area, and such contract or agreement may be  
23 entered into after the adoption of the ordinance by the  
24 corporate authorities establishing the green special service  
25 area. The inclusion, or, as applicable, deletion, of property

1 within the green special service area after the adoption of the  
2 ordinance by the corporate authorities establishing the green  
3 special service area may be made either (i) by the adoption of  
4 a supplemental or amending ordinance by the corporate  
5 authorities or (ii) pursuant to authority in the establishing  
6 ordinance designating one or more county or municipal officers,  
7 as applicable, to include or delete other properties. Green  
8 special service areas are exempt from the provisions of  
9 Sections 27-20, 27-25, 27-30, 27-35, 27-40, 27-50, 27-55,  
10 27-60, 27-65, and 27-70 of the Special Service Area Tax Law. A  
11 municipality or a county may create a green special service  
12 area by an ordinance establishing the green special service  
13 area or multiple green special services areas. Notwithstanding  
14 anything in the Special Service Area Tax Law to the contrary, a  
15 county may establish a green special service area within a  
16 municipality without the consent of that municipality. Each  
17 owner of record of property within a green special service area  
18 may arrange for the specific energy efficiency improvements,  
19 renewable energy improvements, or water use improvements, and  
20 may obtain financing for such improvements through the process  
21 set forth in the ordinance establishing the green special  
22 service area. A green special service area may consist of a  
23 single building, structure, facility, improvement, or lot or  
24 parcel of land. The corporate authorities of a municipality or  
25 a county may establish multiple green special service areas  
26 pursuant to a single ordinance or may, within a single green

1 special service area, identify multiple buildings, structures,  
2 facilities, improvements, or lots or parcels of land, whether  
3 or not those buildings, structures, facilities, improvements,  
4 lots, or parcels are contiguous. However, each green special  
5 service area shall be established with respect to a single  
6 contract or agreement. Revenues derived from special service  
7 area taxes levied in multiple green special service areas or  
8 revenues from multiple buildings, structures, facilities,  
9 improvements or lots or parcels of land within a single green  
10 special service area may be aggregated for a pledge as security  
11 for bonds issued pursuant to Section 27-45 of the Special  
12 Service Area Tax Law. Municipalities and counties shall have  
13 the power to issue bonds under Section 27-45 of the Special  
14 Service Area Tax Law for the public purposes set forth in this  
15 Section 27-97; provided that it shall not be necessary to give  
16 notice of or to conduct a public hearing, as required in  
17 Section 27-45 of the Special Service Area Tax Law, in  
18 connection with the issuance of those bonds, as otherwise  
19 required by Section 27-45 of the Special Service Area Tax Law.

20 (b) The corporate authorities of a county or municipality  
21 that establish a green special service area shall have the  
22 power to levy a special service area tax on the real property  
23 on which the energy use improvements, the renewable energy  
24 improvements, and the water use improvements are located if  
25 each owner of record has entered into a contract or agreement  
26 for those energy efficiency improvements, those renewable



1 energy improvements, and those water use improvements. It is  
2 not necessary to file a copy of the notice of public hearing  
3 with the County Clerk as otherwise required by Section 27-75 of  
4 the Special Service Area Tax Law. The contract or agreement  
5 entered into with the owner of the property shall be conclusive  
6 as to the due authorization and establishment of the applicable  
7 green special service area as it relates to those energy  
8 efficiency improvements, those renewable energy improvements,  
9 and those water use improvements and the amount of the special  
10 service area taxes to be levied and extended against the real  
11 property on which such energy efficiency improvements, such  
12 renewable energy improvements and such water use improvements  
13 are located. A contract or agreement may specify the amount of  
14 the special service area taxes levied pursuant to this Section  
15 on the real property on which the applicable energy efficiency  
16 improvements, renewable energy improvements, water use  
17 improvements, or a combination thereof are located or as  
18 applicable to the principal of and interest on bonds issued,  
19 including as a part of a larger pooled or composite issue, for  
20 financing such energy efficiency improvements, renewable  
21 energy improvements or water use improvements. The specified  
22 special service area tax levies in a contract or agreement when  
23 recorded as provided in subsection (c) of this Section and  
24 filed in the office of the recorder of the county where the  
25 real property is located shall be authority for each affected  
26 municipality or county to extend and collect the levied special

1 service area taxes for the applicable municipality or county,  
2 or both, with respect to each such contract or agreement.

3 In the event that a municipality establishes a green  
4 special service area pursuant to this Section, the county clerk  
5 of the county in which the green special service area is  
6 located may agree to extend, and the county collector of that  
7 county may agree to collect, distribute, and account for, the  
8 special service area taxes on behalf of the municipality upon  
9 the establishment of the green special service area or at any  
10 time thereafter. Upon agreement, the county clerk shall  
11 continue to extend, and the county collector shall continue to  
12 collect, distribute, and account for the levied special service  
13 area taxes until the green special service area is dissolved.  
14 If the county clerk and the county collector agree to extend,  
15 collect, and account for the levied special service area taxes,  
16 the ordinance levying the special service area taxes in a green  
17 special service area shall be filed with the county clerk of  
18 that county.

19 (c) Before entering into a contract or agreement as set  
20 forth in subsections (a) and (b) of this Section, a  
21 municipality or county must ensure that: (i) there are no  
22 delinquent taxes, special assessments, or water or sewer  
23 charges on the property; (ii) the amount of the tax in relation  
24 to the greater of the assessed value of the property or the  
25 appraised value of the property, as determined by a licensed  
26 appraiser, does not exceed 25%; (iii) any existing mortgage

1 holders have provided written consent; (iv) an assessment of  
2 the existing water or energy use and a modeling of expected  
3 monetary savings have been conducted for the proposed project;  
4 (v) the contractors to be used are registered and have agreed  
5 to adhere to a set of terms and conditions through a process  
6 established by the municipality or county; (vi) at the option  
7 of the municipality or county, the contractors to be used have  
8 signed a written acknowledgement that the municipality or  
9 county will not authorize final payment to the contractor until  
10 the municipality or county has received written confirmation  
11 from the property owner that the improvement was properly  
12 installed and is operating as intended; (vii) the term of the  
13 tax does not exceed the useful life of the project paid for by  
14 the tax, provided that projects that consist of multiple  
15 improvements with varying lengths of useful life shall have the  
16 lengths blended to determine an overall tax term that does not  
17 exceed the useful life of the improvements in aggregate; and  
18 (viii) the property owner has signed a certification that the  
19 municipality or county has complied with the provisions of this  
20 subsection (c), which shall be conclusive evidence as to  
21 compliance with those provisions, but shall not relieve any  
22 contractor, municipality, or county from any potential  
23 liability.

24 (d) The contract or agreement in subsection (b) of this  
25 Section shall be in recordable form and shall be recorded in  
26 the office of the recorder in the county where the real

1 property is located.

2 (e) Any municipality or county with the authority to  
3 provide special service area financing in connection with green  
4 special service area projects, as provided in the Special  
5 Service Area Tax Law, may do any of the following: (i) issue  
6 special service area bonds pursuant to Section 27-45 of the  
7 Special Service Area Tax Law, as provided in subsection (a) of  
8 this Section, (ii) sell or assign those bonds to the Illinois  
9 Finance Authority or to a third party, and (iii) assign or  
10 pledge those special service area bonds, agreements relating to  
11 green special service area projects, or both to the Illinois  
12 Finance Authority or to a third party.

13 (f) A municipality or county may join with any other  
14 municipality or county, or with any person, or with any number  
15 or combination thereof, by contract or otherwise as may be  
16 permitted by law, in a program to implement green special  
17 service areas in whole or in part.

18 (g) This Section shall be liberally construed to effect the  
19 legislative purpose of enabling eligible property owners to  
20 make energy efficiency improvements, renewable energy  
21 improvements, or water use improvements, or any combination  
22 thereof, to their properties.

23 (h) The terms "taxes" or "tax levies", as used in this  
24 Section relating to green special service areas, shall mean and  
25 include assessments or special assessments, as those terms are  
26 commonly understood and used within the industry with respect

1 to property assessed clean energy programs.

2 (35 ILCS 200/27-100 new)

3 Sec. 27-100. Administrative fees. Notwithstanding any  
4 other provision of law, each municipality or county may charge  
5 administrative fees in connection with the administration of  
6 Special Service Areas. Such administrative fees may be  
7 collected from Special Service Area tax levies.

8 (35 ILCS 200/27-105 new)

9 Sec. 27-105. Third-party administration. Notwithstanding  
10 any other provision of law, a municipality or county may  
11 delegate by municipal or county ordinance a third-party  
12 not-for-profit corporation to administer all or any part of its  
13 Special Service Area program, including its Green Special  
14 Service Area program.

15 Section 15. The Counties Code is amended by changing  
16 Section 5-1005 as follows:

17 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

18 Sec. 5-1005. Powers. Each county shall have power:

19 1. To purchase and hold the real and personal estate  
20 necessary for the uses of the county, and to purchase and  
21 hold, for the benefit of the county, real estate sold by  
22 virtue of judicial proceedings in which the county is

1 plaintiff.

2 2. To sell and convey or lease any real or personal  
3 estate owned by the county.

4 3. To make all contracts and do all other acts in  
5 relation to the property and concerns of the county  
6 necessary to the exercise of its corporate powers.

7 4. To take all necessary measures and institute  
8 proceedings to enforce all laws for the prevention of  
9 cruelty to animals.

10 5. To purchase and hold or lease real estate upon which  
11 may be erected and maintained buildings to be utilized for  
12 purposes of agricultural experiments and to purchase, hold  
13 and use personal property for the care and maintenance of  
14 such real estate in connection with such experimental  
15 purposes.

16 6. To cause to be erected, or otherwise provided,  
17 suitable buildings for, and maintain a county hospital and  
18 necessary branch hospitals and/or a county sheltered care  
19 home or county nursing home for the care of such sick,  
20 chronically ill or infirm persons as may by law be proper  
21 charges upon the county, or upon other governmental units,  
22 and to provide for the management of the same. The county  
23 board may establish rates to be paid by persons seeking  
24 care and treatment in such hospital or home in accordance  
25 with their financial ability to meet such charges, either  
26 personally or through a hospital plan or hospital

1 insurance, and the rates to be paid by governmental units,  
2 including the State, for the care of sick, chronically ill  
3 or infirm persons admitted therein upon the request of such  
4 governmental units. Any hospital maintained by a county  
5 under this Section is authorized to provide any service and  
6 enter into any contract or other arrangement not prohibited  
7 for a hospital that is licensed under the Hospital  
8 Licensing Act, incorporated under the General  
9 Not-For-Profit Corporation Act, and exempt from taxation  
10 under paragraph (3) of subsection (c) of Section 501 of the  
11 Internal Revenue Code.

12 7. To contribute such sums of money toward erecting,  
13 building, maintaining, and supporting any non-sectarian  
14 public hospital located within its limits as the county  
15 board of the county shall deem proper.

16 8. To purchase and hold real estate for the  
17 preservation of forests, prairies and other natural areas  
18 and to maintain and regulate the use thereof.

19 9. To purchase and hold real estate for the purpose of  
20 preserving historical spots in the county, to restore,  
21 maintain and regulate the use thereof and to donate any  
22 historical spot to the State.

23 10. To appropriate funds from the county treasury to be  
24 used in any manner to be determined by the board for the  
25 suppression, eradication and control of tuberculosis among  
26 domestic cattle in such county.

1           11. To take all necessary measures to prevent forest  
2 fires and encourage the maintenance and planting of trees  
3 and the preservation of forests.

4           12. To authorize the closing on Saturday mornings of  
5 all offices of all county officers at the county seat of  
6 each county, and to otherwise regulate and fix the days and  
7 the hours of opening and closing of such offices, except  
8 when the days and the hours of opening and closing of the  
9 office of any county officer are otherwise fixed by law;  
10 but the power herein conferred shall not apply to the  
11 office of State's Attorney and the offices of judges and  
12 clerks of courts and, in counties of 500,000 or more  
13 population, the offices of county clerk.

14           13. To provide for the conservation, preservation and  
15 propagation of insectivorous birds through the expenditure  
16 of funds provided for such purpose.

17           14. To appropriate funds from the county treasury and  
18 expend the same for care and treatment of tuberculosis  
19 residents.

20           15. In counties having less than 1,000,000  
21 inhabitants, to take all necessary or proper steps for the  
22 extermination of mosquitoes, flies or other insects within  
23 the county.

24           16. To install an adequate system of accounts and  
25 financial records in the offices and divisions of the  
26 county, suitable to the needs of the office and in



1       accordance with generally accepted principles of  
2       accounting for governmental bodies, which system may  
3       include such reports as the county board may determine.

4           17. To purchase and hold real estate for the  
5       construction and maintenance of motor vehicle parking  
6       facilities for persons using county buildings, but the  
7       purchase and use of such real estate shall not be for  
8       revenue producing purposes.

9           18. To acquire and hold title to real property located  
10      within the county, or partly within and partly outside the  
11      county by dedication, purchase, gift, legacy or lease, for  
12      park and recreational purposes and to charge reasonable  
13      fees for the use of or admission to any such park or  
14      recreational area and to provide police protection for such  
15      park or recreational area. Personnel employed to provide  
16      such police protection shall be conservators of the peace  
17      within such park or recreational area and shall have power  
18      to make arrests on view of the offense or upon warrants for  
19      violation of any of the ordinances governing such park or  
20      recreational area or for any breach of the peace in the  
21      same manner as the police in municipalities organized and  
22      existing under the general laws of the State. All such real  
23      property outside the county shall be contiguous to the  
24      county and within the boundaries of the State of Illinois.

25           19. To appropriate funds from the county treasury to be  
26      used to provide supportive social services designed to

1 prevent the unnecessary institutionalization of elderly  
2 residents, or, for operation of, and equipment for, senior  
3 citizen centers providing social services to elderly  
4 residents.

5 20. To appropriate funds from the county treasury and  
6 loan such funds to a county water commission created under  
7 the "Water Commission Act", approved June 30, 1984, as now  
8 or hereafter amended, in such amounts and upon such terms  
9 as the county may determine or the county and the  
10 commission may agree. The county shall not under any  
11 circumstances be obligated to make such loans. The county  
12 shall not be required to charge interest on any such loans.

13 21. To appropriate and expend funds from the county  
14 treasury for economic development purposes, including the  
15 making of grants to any other governmental entity or  
16 commercial enterprise deemed necessary or desirable for  
17 the promotion of economic development in the county.

18 22. To lease space on a telecommunications tower to a  
19 public or private entity.

20 23. In counties having a population of 100,000 or less  
21 and a public building commission organized by the county  
22 seat of the county, to cause to be erected or otherwise  
23 provided, and to maintain or cause to be maintained,  
24 suitable facilities to house students pursuing a  
25 post-secondary education at an academic institution  
26 located within the county. The county may provide for the

1 management of the facilities.

2 24. To engage in and undertake activities related to  
3 and in connection with energy efficiency improvements,  
4 renewable energy improvements, and water use improvements,  
5 all as defined in the Special Service Area Tax Law,  
6 including, but not limited to, green special service area  
7 financing for energy efficiency improvements, renewable  
8 energy improvements, and water use improvements whether on  
9 public or private property, under the Special Service Area  
10 Tax Law. This item shall be liberally construed to effect  
11 the legislative purpose of enabling eligible property  
12 owners to make energy efficiency improvements, renewable  
13 energy improvements, and water use improvements to or  
14 servicing the designated properties.

15 All contracts for the purchase of coal under this Section  
16 shall be subject to the provisions of "An Act concerning the  
17 use of Illinois mined coal in certain plants and institutions",  
18 filed July 13, 1937, as amended.

19 (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;  
20 96-622, eff. 8-24-09.)

21 Section 20. The Illinois Municipal Code is amended by  
22 adding Division 15.4 to Article 11 as follows:

23 (65 ILCS 5/Art. 11 Div. 15.4 heading new)

24 DIVISION 15.4. GREEN SPECIAL SERVICE AREAS

1 (65 ILCS 5/11-15.4-1 new)

2 Sec. 11-15.4-1. Green special service areas. Each  
3 municipality shall have the power and authority to engage in  
4 and undertake activities related to and in connection with  
5 energy efficiency improvements, renewable energy improvements,  
6 and water use improvements, all as defined in the Special  
7 Service Area Tax Law, including, but not limited to, green  
8 special service area financing for those energy efficiency  
9 improvements, renewable energy improvements, and water use  
10 improvements whether on public or private property, under the  
11 Special Service Area Tax Law. This Section shall be liberally  
12 construed to effect the legislative purpose of enabling  
13 property owners to make energy efficiency improvements,  
14 renewable energy improvements, or water use improvements to or  
15 serving the designated properties.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."